

House Bill No. 5506

seven hundred fifty dollars for a second offense on or before twenty-four months after the date of the first offense and not more than one thousand dollars for each subsequent offense on or before twenty-four months after the date of the first offense. The provisions of this subsection shall not apply to a person under twenty-one years of age who is delivering or accepting delivery of cigarettes or a tobacco product (1) in such person's capacity as an employee, or (2) as part of a scientific study being conducted by an organization for the purpose of medical research to further efforts in cigarette and tobacco product use prevention and cessation, provided such medical research has been approved by the organization's institutional review board, as defined in section 21a-408.

(c) Any person under twenty-one years of age who misrepresents such person's age to purchase cigarettes or a tobacco product shall be fined not more than fifty dollars for the first offense and not less than fifty dollars or more than one hundred dollars for each subsequent offense.

(d) (1) A seller or seller's agent or employee shall request that each person intending to purchase cigarettes or a tobacco product present a driver's license or identity card to establish that such person is twenty-one years of age or older.

[(d) (1)] (2) A seller or seller's agent or employee may perform a transaction scan to check the validity of a driver's license or identity card presented by a cardholder as a condition for selling, giving away or otherwise distributing cigarettes or a tobacco product to the cardholder.

[(2)] (3) If the information deciphered by the transaction scan performed under subdivision [(1)] (2) of this subsection fails to match the information printed on the driver's license or identity card presented by the cardholder, or if the transaction scan indicates that the information so printed is false or fraudulent, neither the seller nor any

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seller's agent or employee shall sell, give away or otherwise distribute any cigarettes or a tobacco product to the cardholder.

[(3)] (4) Subdivision [(1)] (2) of this subsection does not preclude a seller or seller's agent or employee from using a transaction scan device to check the validity of a document other than a driver's license or an identity card, if the document includes a bar code or magnetic strip that may be scanned by the device, as a condition for selling, giving away or otherwise distributing cigarettes or a tobacco product to the person presenting the document.

(e) (1) No seller or seller's agent or employee shall electronically or mechanically record or maintain any information derived from a transaction scan, except the following: (A) The name and date of birth of the person listed on the driver's license or identity card presented by a cardholder; and (B) the expiration date and identification number of the driver's license or identity card presented by a cardholder.

(2) No seller or seller's agent or employee shall use a transaction scan device for a purpose other than the purposes specified in subsection (e) of section 53-344b, subsection (d) of this section or subsection (c) of section 30-86.

(3) No seller or seller's agent or employee shall sell or otherwise disseminate the information derived from a transaction scan to any third party, including, but not limited to, selling or otherwise disseminating that information for any marketing, advertising or promotional activities, but a seller or seller's agent or employee may release that information pursuant to a court order.

(4) Nothing in subsection (d) of this section or this subsection relieves a seller or seller's agent or employee of any responsibility to comply with any other applicable state or federal laws or rules governing the sale, giving away or other distribution of cigarettes or tobacco products.